

30164. Adulteration of apples. U. S. v. 10 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 44424. Sample No. 45988-D.)

This product was contaminated with arsenic and lead.

On November 3, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 bushels of apples at Glenview, Ill.; alleging that the article had been shipped in interstate commerce on or about October 27, 1938, from Bangor, Mich., by Joseph Joerlicki to himself at Glenview, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On December 7, 1938, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30165. Adulteration of fish roe. U. S. v. Five Tubs and Seven Tubs of Fish Roe (and one other seizure action against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44578, 44579, 44614. Sample Nos. 26997-D, 44113-D, 44114-D.)

This product contained parasitic worms.

On December 28, 1938, and on January 3, 1939, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 17 tubs of fish roe at New York, N. Y.; alleging that the article had been shipped in interstate commerce in part on or about December 6, 9, and 15, 1938, by Frank C. Calhoun from Northport, Mich.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On January 19 and 26, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30166. Adulteration of apple butter. U. S. v. 50 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. No. 44244. Sample No. 20462-D.)

This product was in whole or in part insect-infested.

On October 31, 1938, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 cases of apple butter at Phoenix, Ariz., consigned on or about August 31, 1938; alleging that the article had been shipped by Smart & Final Co., Ltd., from Wilmington, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Table Queen Brand Apple Butter Packed For Smart & Final Co. Ltd. California—Arizona—Nevada."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On January 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30167. Adulteration of frozen whole eggs. U. S. v. 842 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. No. 44445. Sample Nos. 12132-D, 12133-D.)

This product, which had been shipped in interstate commerce and remained unsold in the original packages at the time of examination, was found to be in part decomposed.

On December 2, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 842 cans of frozen whole eggs at Newark, N. J.; alleging that the article had been shipped on or about November 10, 1938, from Louisville, Ky., by Armour Creameries; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted in whole or in part of a decomposed animal substance.

On January 12, 1939, Armour & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was released under bond conditioned that the good portion be separated from the bad and the latter destroyed or denatured.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30168. Adulteration of flour. U. S. v. 105 Sacks and 80 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. Nos. 44120, 44121. Sample Nos. 38161-D, 38162-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On October 10, 1938, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 185 sacks of flour at Dothan, Ala.; alleging that the article had been shipped on or about April 6, 1938, by the Mountain City Mill Co. from Chattanooga, Tenn.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Gold Medal Flour."

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On January 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30169. Adulteration of cream. U. S. v. Two 5-Gallon Cans and One 10-Gallon Can of Cream (and three other seizure actions against the same product). Consent decrees of condemnation and destruction. (F. & D. Nos. 44813 to 44816, inclusive. Sample Nos. 30685-D, 30686-D, 31125-D, 41141-D.)

This product was found to be in various stages of decomposition.

On January 30, 1939, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of three 5-gallon cans and four 10-gallon cans of cream at Denver, Colo.; alleging that the article had been shipped in interstate commerce on or about January 25, 26, and 27, 1939, by various shippers as follows: J. E. Tucker from Melrose, N. Mex., J. F. Fostenow from Sidney, Nebr., Bessie Knight from Benkelman, Nebr., J. H. Smith from Hawk Springs, Wyo., J. Willman from Douglas, Wyo., Arthur Damrow from Torrington (Fort Laramie), Wyo., and Ora A. King from Ashby, Nebr.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On January 30, 1939, the consignees having consented to destruction of the product, judgments of condemnation and destruction were entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30170. Adulteration of rice. U. S. v. 18 Sacks of Rice. Default decree of condemnation and destruction. (F. & D. No. 44419. Sample No. 39393-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On November 26, 1938, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 sacks of rice at Seattle, Wash.; alleging that the article had been shipped on or about August 30, 1938, by Texas Rice Milling Co. from Houston, Tex.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Extra Fancy Long Grain Uncoated Head Rice."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On January 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*